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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/014,546

12/14/2001

Shoei-Yuan Shih

2450-0460P

3288

2292

7590

10/23/2003

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EXAMINER

DUONG, HUNG V

ART UNIT

PAPER NUMBER

2835

DATE MAILED: 10/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/014,546

Applicant(s)

SHIH, SHOEI-YUAN

CN

Examiner

Hung v Duong

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6, 8-11 and 17-21 is/are allowed.
- 6) ☒ Claim(s) 12 is/are rejected.
- 7) ☒ Claim(s) 13-16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chin (US 2002/0089823) in view of Weng (US D445,761S).

Regarding claim 12 Chin discloses in figure 1, a server contained four juxtapose hard disk drives 2 having four juxtaposed standard 3.5 inches hard disk drives housed in a server which is conformed to 1U 19 inches specifications, comprising: a casing 1 having a main partition 11, a bottom board 5 to form four retrieval chambers 12 for housing the four hard disk drives 2, each retrieval chamber 12 containing a retrieval cradle 21 which has a displacement board, an anchor rack 211 located at a front end of the displacement board and a side board located on one side of the displacement board, the anchor rack 211 having a handle 23 mounted thereon for retrieving the retrieval cradle 21, the displacement board 11 and the side board having respectively a plurality of fasten apertures 14 formed thereon to fasten the hard disk drives 2 such that the four standard 3.5 inches hard disk drives are allowed to house in the server

conformed to 1U 19 inches specifications in a juxtaposed manner and are retrievable through the retrieval cradles 21.

Chin fails to disclose the anchor rack of the retrieval cradle has a jutting strut pivotally engaged with the handle. However, Weng discloses the anchor rack of the retrieval cradle has a jutting strut pivotally engaged with the handle (figure 1). Therefore, it would be obvious to one of ordinary skill to modify the anchor rack of the retrieval cradle has a jutting strut pivotally engaged with the handle of Weng into Chin's handle as applicant's invention in order to be pivoted the handle more easily.

### ***Allowable Subject Matter***

2. Claims 13-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
3. Claims 1-6, 8-11, and 17-21 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to show that the secondary partition has a bottom end formed a first anchor section for fastening to the bottom board of the casing, the first anchor section having a first latch slot to engage with a first latch element located on the bottom board or that the bottom board has a stopping ridge corresponding to a rear end of the secondary partition for confining the secondary partition at a selected location or that a brake elastic strip located between one side of the anchor rack and a retain section

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located on a front end of the secondary partition to form a braking relationship therebetween, the brake elastic strip having a jutting section, a depressing section formed at a front free end thereof, a latch bore and an anchor section, the anchor rack having an opening formed on one side thereof to allow the brake elastic strip to pass through, and a latch lug and an anchor bore to engage respectively with the latch bore and the anchor section, the jutting section of the brake elastic strip being engageable with the retain section of the secondary partition.

### ***Response to Arguments***

4. Applicant's arguments with respect to claim 1-11 and new claims 12-21 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

None.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung v Duong whose telephone number is 703- 308-4889. The examiner can normally be reached on 8-5.

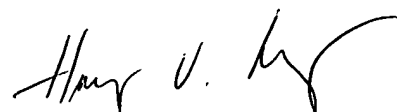
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 703 308 4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 0956.

HVD

10/14/03

A handwritten signature in black ink, appearing to read 'Hung V. Duong', with a stylized flourish at the end.

Hung Duong  
Patent Examiner.